

REMARKS

Claim Summary

Claims 1, 19, 21, and 25 are changed to add the description: "wherein the current combination of coding schemes includes more than one coding scheme, each having a duty cycle" This description is supported at least at page 16, lines 10-12 of applicants specification.

Claim 4 is amended to eliminate the word "not" from "has not been exceeded". This is supported in applicant's specification at page 18, lines 3-7 and FIG. 10 of the drawings. Thus, no new matter is introduced.

Claims 6, 12, and 24 are changed to incorporate all the limitations of their respective base claims and any intervening claims. Thus, no new matter is introduced.

Claim 25 was further changed to correct an obvious typographical error.

No amendment made is related to the statutory requirements of patentability unless expressly stated herein. No amendment is made for the purpose of narrowing the scope of any claim, unless Applicant had argued herein that such amendment is made to distinguish over a particular reference or combination of references. Any remarks made herein with respect to a given claim or amendment is intended only in the context of that specific claim or amendment, and should not be applied to other claims, amendments, or aspects of Applicant's invention.

Rejection of Claims 1-5, 7-11, 16-23, and 25 under 35 U.S.C. § 103a as being unpatentable over US Publication 2002/0141362 (hereafter, "Hsu") or as being unpatentable over Hsu in view of US Publication 2004/0196900 (hereafter, "Lim")

The description "wherein the current combination of coding schemes includes more than one coding scheme, each having a duty cycle" has been added to each of the original independent claims (1, 19, 21, and 25). Neither Hsu nor Lim, nor any of the art cited in this case describe this aspect, either singly or in combination. Therefore, applicant believes that amended claims 1, 19, 21, and 25 are patentable and that claims 2-5, 7-11, 16-18, and 20-23

are now patentable inasmuch as each of them ultimately depends upon one of the amended independent claims 1, 19, 21, and 29.

Applicants respectfully request that a timely Notice of Allowance be issued in this case. Such action is earnestly solicited by the Applicants. Should the Examiner have any questions, comments, or suggestions, the Examiner is invited to contact the Applicant's attorney or agent at the telephone number indicated below.

Please charge any fees that may be due to Deposit Account 502117, Motorola, Inc.

Respectfully submitted,

Please send correspondence to:
Motorola, Inc.
Intellectual Property Dept.
1303 E. Algonquin Road
Schaumburg, IL 60196
Customer Number: 22917

By: /James Lamb/ Oct. 26, 2008
James A. Lamb Date
Agent for Applicant
Registration No. 38529
Tel. No. (847) 438-9174
Fax No. (316) 221-8682
Email: docketing.schaumburg@motorola.com